

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 19100

**CERTIFICATE OF NO OBJECTION REGARDING URGENT MOTION OF
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD
FOR PUERTO RICO FOR ORDER PURSUANT TO RULE 3018(A) OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE AUTHORIZING THE
CHANGE OF VOTES CAST BY THE GDB DEBT RECOVERY AUTHORITY IN
CONNECTION WITH THE EIGHTH AMENDED TITLE III JOINT PLAN OF
ADJUSTMENT OF THE COMMONWEALTH OF PUERTO RICO, ET AL.**

On November 5, 2021, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA,” and, together with the Commonwealth and ERS, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Oversight, Management, and Economic Stability Act (“PROMESA”),² filed the Urgent Motion of the Financial Oversight and Management Board for Puerto Rico for Order Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure Authorizing the Change of Votes Cast by the GDB Debt Recovery Authority in Connection with the Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al. [ECF No. 19100] (the “Urgent Motion”).³

On the same date, the Court entered the *Order Concerning Urgent Motion of the Financial Oversight and Management Board for Puerto Rico for Order Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure Authorizing the Change of Votes Cast by the GDB Debt Recovery Authority in Connection with the Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [ECF No. 19103], establishing 12:00 p.m. (Atlantic Standard Time) on November 7, 2021 (the “Objection Deadline”) as the deadline for any opposition to the Urgent Motion to be filed.

The undersigned certifies that he has reviewed the Court’s docket in these cases after the expiration of the Objection Deadline and prior to the filing of this Certificate and that no objection, responsive pleading, or request for a hearing with respect to the Urgent Motion appears on the docket.⁴

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Capitalized terms used herein but not otherwise defined shall have the meaning given to them in the Urgent Motion.

⁴ Although Paragraph III.P of the *Fifteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 17127-1] requires that a certificate of no objections be filed not less than forty-eight (48) hours after the expiration of the Objection Deadline, there is cause to shorten such period given the urgent nature of the request, as explained in the Urgent Motion. In particular, the Confirmation Hearing is scheduled to begin on November 8, 2021, and the Oversight Board intends to call on the same day Christina Pullo as a witness in respect of confirmation of the Plan.

WHEREFORE the Debtors respectfully request that the Court enter the proposed order attached hereto as **Exhibit A** granting the relief requested in the Urgent Motion.

Dated: November 7, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

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Debtors*

Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 19100

**ORDER GRANTING URGENT MOTION OF
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD
FOR PUERTO RICO FOR ORDER PURSUANT TO RULE 3018(A) OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE AUTHORIZING THE
CHANGE OF VOTES CAST BY THE GDB DEBT RECOVERY AUTHORITY IN
CONNECTION WITH THE EIGHTH AMENDED TITLE III JOINT PLAN OF
ADJUSTMENT OF THE COMMONWEALTH OF PUERTO RICO, ET AL.**

Upon the *Urgent Motion of the Financial Oversight and Management Board for Puerto Rico for Order Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure Authorizing the Change of Votes Cast by the GDB Debt Recovery Authority in Connection with the Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

(the “Urgent Motion”);² and the Court having found it has subject matter jurisdiction over this matter pursuant to section 306(a) of PROMESA; and it appearing that venue in this district is proper pursuant to section 307(a) of PROMESA; and the Court having found that the Oversight Board provided adequate and appropriate notice of the Urgent Motion under the circumstances and that no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found that good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED THAT:

1. The Urgent Motion is GRANTED as set forth herein.
2. Pursuant to Bankruptcy Rule 3018(a), the DRA Votes shall be changed to, and deemed to be, “acceptances” of the Plan. Prime Clerk LLC, the Debtors’ balloting agent, is directed to change the DRA Votes to “acceptances” of the Plan, and the Debtors are directed to file on the docket of these Title III cases within one (1) day of entry of this Order a revised tabulation of votes cast in connection with the Plan reflecting such change to the DRA Votes.
3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: November ____, 2021

HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT COURT JUDGE

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Urgent Motion.